



The Town of Barnstable
Affordable Housing Growth & Development
Trust Fund Board
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Mark S. Ells, Chairman

Friday, March 3, 2023
Affordable Housing Growth & Development Trust Fund
Fund Board Meeting APPROVED Minutes
9:00 A.M.

Pursuant to the passage of legislation extending certain COVID-19 measures adopted during the state of emergency, this meeting was closed to the public.

Alternative public access to this meeting was provided by utilizing a Zoom link or telephone number, both provided in the posted meeting notice.

Board Member Attendees: Andy Clyburn Acting Chairman, Mark Milne, Laura Shufelt and Wendy Northcross.

Other Attendees: Elizabeth Jenkins, Director, Planning & Development; Charles McLaughlin, Sr. Town Attorney; David Anthony, Director of Asset Management; Jillian Douglass, Trust Administrator, Planning & Development; and Ellen Swiniarski, Community Preservation Coordinator, Planning & Development and applicant for Mass Military Support Foundation predevelopment funds, Mickey Wiernasz

Call to Order

With a quorum present, Chairman Ells called the meeting to order at 9:00 a.m. and stated that today's meeting is recorded and in accordance with M.G.L. Chapter 30A, s 20 he must inquire whether anyone is recording this meeting and to notify the Chairman that a recording is being made. No one came forward.

Member Introduction

By roll call (present): Wendy Northcross, Laura Shufelt, Mark Milne, and Andy Clyburn. Mark Ells (absent).

Public Comment

None.

Topics for Discussion

1. Approval of minutes for the February 6, 2023, meeting.

Motion was made by Wendy Northcross and seconded by Laura Shufelt to approve the February 6, 2023, meeting minutes as submitted. Roll call vote: Wendy Northcross (yes), Mark Milne (yes), Laura Shufelt (yes), Andy Clyburn (abstains). Motion carries.

2. Trust Administrator's Updates/Follow-Ups.

Jillian Douglass, Trust Administrator, reported that correspondence was sent to Massachusetts Military Support Foundation outlining the concerns from the Trust and items required to demonstrate surety and security. She shared that the specific documentation has not been provided yet and a request for continuance of the application to a future agenda once documentation has been received has been made.

She noted that a draft contingent commitment letter for Friends or Relatives with Autism or Related Disabilities (FORWARD) Phase II project was included in the meeting packet after the project received Trust support at the last meeting. She explained that there will be additional documents that will be required including a grant agreement. After brief discussion it was decided it was appropriate to vote to authorize preparation of the conditional commitment letter. The motion of Andy Clyburn was seconded by Laura Shufelt to authorize the preparation of a conditional commitment letter subject to the execution of an acceptable grant agreement with conditions including related financing commitments necessary for the project. Roll Call Vote: Wendy Northcross (yes), Mark Milne (yes), Laura Shufelt (yes), and Andy Clyburn (yes). Motion carried.

Ms. Douglass provided an update regarding the Housing Assistance Corporation's request for buy down funds from a 2017 CPA allocation under the management of the Town Manager for this purpose. Request is for resale of a Home Ownership Program unit in Marstons Mills which will be reviewed and authorized by the Town Manager once all information is available.

Jillian also provided an update on the County HOME Consortium's outreach regarding ARPA allocations. She noted that notice for public comment on the ARPA allocation plan had been sent for all to participate and are accepting comments until March 7, 2023. It was confirmed that the Home Consortium is the regional housing organization and will be the recipient of the ARPA funds and their draft plan is available on the County website. Laura Shufelt noted that she is the Town of Barnstable's representative on the ARPA Committee and said that ARPA funds need to be used to serve at risk or homeless populations. She noted that a distinction between the programs is that HOME has a longer time period to expend the funds than ARPA and that the draft admin plan for ARPA allows funds to be used as a significant part of a larger development or a singular development. Laura agreed to provide information as it becomes available regarding issuance of a NOFA and the opening of applications.

Ms. Douglass shared that she had met with the Barnstable Housing Authority (BHA) at their annual meeting last month where there was open discussion including impediments to some of the developments and improvements they are trying to accomplish. She offered to act as liaison. She is happy to talk about partnering and aiding in BHA's efforts.

Jillian shared that she was contacted through Mass Housing Partnership who is working with the Tufts University Graduate School Department of Urban and Environmental Policy and Planning in their study of housing trusts. Wendy Northcross and she have agreed to be interviewed next Wednesday.

3. Planning and Development Updates – Elizabeth Jenkins, Director of Planning & Development

Elizabeth Jenkins shared that they are regrouping on moving the Housing Production Plan process forward and will keep the Trust apprised as they do so. She noted that they are also working closely with David Anthony on some projects and have received two HDIP applications that need to be processed.

4. Update on Development of Town Properties for Affordable Housing

David Anthony, Director of Asset Management, noted that a 60-day license extension for continued use of the VFW site on Phinney Lane will be needed for CC Construction. He said that they are keeping the pressure up on CC Construction to complete their use of the lot, as they continue efforts to make this land available for a future project.

He noted that Elizabeth Jenkins met to talk about a draft for the House on the Hill and are presently into the second evaluation of that draft and are anticipating getting an RFP out by the end of March. He said he had met with Amber Patterson, Chief Procurement Officer, to check her availability to review the draft RFP for consistency with others that have been issued.

5. Topics for Future Meetings/Agendas

Laura Shufelt said she would like to include discussion about the State Housing Inventory because it is presently inaccurate. She noted that the census numbers on vacant and seasonal properties have been holding up the census updates and thought that the two ongoing town housing studies could provide some accurate numbers in the interim.

Andy Clyburn said he would like to include an update on replacement of the Housing Coordinator.

Mr. Mickey Wiernasz, representative for Mass Military Support Foundation joined the meeting explaining that the documents from the Trust have been shared with Dr. White and Don Cox and are being reviewed by their attorneys. Mr. Wiernasz asked why the security cannot be attached to the subject property as there is no existing mortgage or note. Attorney McLaughlin outlined the requirement of the Trust to have adequate security when advancing funds in case the project does not go forward so the Trust contribution could be recoverable. He explained that a mortgage on the property must be supported by some consideration or the underlying obligation such as the promissory note which spells out the terms of the loan and what happens if there is a default which would trigger use of the mortgage. It was agreed that this is a question best discussed between attorneys.

There was discussion with Mr. Wiernasz regarding the pre-development application process and his experience with trying to comply with the requirements and understanding the steps. Jillian Douglass referred to the correspondence sent to Mr. Wiernasz noting that what is first needed are estimates from the professionals to verify the cost of the services needed. Laura Shufelt clarified that the Trust is not asking for a signed contract, only a proposal or a quote for how much the services for the architect and engineer would cost as this grant application is for predevelopment funds. Laura said that only conceptual plans are needed until the project has gone through

permitting and financing. Laura further explained that predevelopment will provide conceptual plans from which you derive a proforma which can be used to then obtain the subsidy funding that you are going to need to move forward. What is needed first is a proposal from an architect for conceptual plans and a cost estimation.

There was continued discussion regarding moving the project forward to a full-blown project and the Board's desire for that to happen. It was decided that off record meetings with Mass Military Support Foundation with the Town to discuss the outstanding details are imperative.

6. Matters Not Reasonably Anticipated by the Chair

None.

7. Next Meeting Dates – First Friday of each month at 9:00 a.m. (April 7, 2023)

Wendy Northcross noted that she would be away on vacation April 7, 2023.

Adjournment

Motion to adjourn was made by Wendy Northcross and seconded by Laura Shufelt. Roll call vote: Wendy Northcross (yes), Mark Milne (yes), Laura Shufelt (yes), and Andy Clyburn (yes). Meeting adjourned.

List of documents/exhibits used by the Board at the meeting:

Exhibit 1 – Affordable Housing Growth and Development Trust Fund Board Agenda 3/3/2022.

Exhibit 2 – Draft minutes for the 2/6/2022 Affordable Housing Growth and Development Trust Fund Board meeting.

Exhibit 3 - Draft Contingent Commitment Letter – FORWARD

Exhibit 4 – Mass Military Support Foundation Documents

Exhibit 5 – Notice of Public Meeting, Document Availability, Public Comment – Barnstable County HOME Consortium ARP Allocation Plan.

Exhibit 6 - Draft Barnstable County HOME Consortium HOME-ARP Program Allocation Plan

Respectfully submitted,

Ellen M. Swiniarski

CPC Coordinator

Planning & Development Department